



June 2, 2025

## TECHNICAL STAFF REPORT

TO: Prince George's County Planning Board

FROM: Natalia Gomez Rojas, AICP, Planner IV - Planning Director's Office

SUBJECT: Legislative Drafting Request LDR-88-2025  
Application-Specific Review Procedures and Standards -Planned Development  
Zoning Map Amendment

The Prince George's County Planning Department's legislative team has reviewed the proposed legislative amendment to the Zoning Ordinance and presents the following evaluation and findings leading to a recommendation of **SUPPORT**, as described in the Recommendation section of this technical staff report.

### I. EVALUATION CRITERIA

Proposed legislative amendments to the Zoning Ordinance are reviewed under the requirements of Section 27-3501, Legislative Amendment, of the Prince George's County Zoning Ordinance. The Planning Department has considered the following in reviewing this proposed legislative amendment:

- A. The Prince George's County Zoning Ordinance;
- B. The *Plan Prince George's 2035 Approved General Plan*;
- C. The current area master plans, sector plans, and functional master plans for Prince George's County;
- D. The Prince George's County Climate Action Plan; and
- E. Referral comments.

### II. COMPLIANCE WITH LAW, ASSESSMENT OF TECHNICAL DRAFTING CONVENTIONS, AND PROPOSED AMENDMENTS

Section 27-3501(c)(2)(A) of the Prince George's County Zoning Ordinance states in part that **"the Council's Legislative Counsel shall prepare the proposed amendment in consultation with the Planning Director,...."** The Planning Department is submitting this memorandum to provide clarifications and any recommendations for consideration.

Pursuant to Section 27-3501(c)(2)(C) of the Zoning Ordinance, this technical staff report **"shall contain an independent, non-substantive assessment of the technical drafting conventions of the proposed legislative amendment, in order to ensure consistency**

**with the legislative style and conventions of the current Zoning Ordinance.”** As such, the Department has determined that LDR-88-2025 was drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

### III. BACKGROUND

- A. **Purpose:** LDR-88-2025 proposes to amend Section 27-6302 of the Zoning Ordinance to remove the requirement that, following approval of a Planned Development (PD) Zoning Map Amendment, an applicant must file copies of the Planned Development Basic Plan and PD Conditions of Approval with the Land Records of Prince George’s County prior to submitting a development application subsequent to the PD Map Amendment.
- B. **Impacted Property:** The proposed legislative amendment would impact all properties in Prince George’s County that obtain approval of a Planned Development (PD) Zoning Map Amendment.
- C. **Policy Analysis:**

Under current law, following the District Council’s approval of a PD Zone Amendment and Basic Plan, and prior to the submission of any subsequent development application having as its subject any land in the PD zone, the applicant must file with the Land Records of Prince George’s County, the following:

- (i) Copies of the PD Basic Plan and PD Conditions of Approval; and
- (ii) Any deed restrictions or other restrictive covenants required by the District Council in its approval of the PD zone, as well as any completed agreements with the County that are necessary for the County to become a party to the deed restrictions or other restrictive covenants. (*See 27-3602(b)(11)(E)*) (Emphasis added.)

LDR-88-2024 would, instead, allow the applicant to submit subsequent development applications following the issuance of ZHE’s recommendation on the underlying PD Map Amendment application and prior to the District Council public hearing on the PD Map Amendment application, without filing copies of the PD Basic Plan and PD Conditions of Approval with the Land Records of Prince George’s County.

While the applicant would be permitted to submit subsequent development applications, they cannot be accepted by the receiving agency prior to the District Council’s order acknowledging the applicant’s acceptance of the conditions of approval of the underlying PD Map Amendment. Lastly, any deed restrictions or covenants would still be required to be subsequently recorded as directed by the District Council or Planning Board’s subsequent approval orders.

The purpose behind the Bill is to help expedite the development review process. It will not, however, impact the government’s authority to require the recordation of necessary entitlement approvals and documents.

#### IV. COMPLIANCE WITH EVALUATION CRITERIA

1. Section 27-3501(c)(2)(B) requires the Planning Director to issue a technical staff report on any proposed legislative amendment to the Zoning Ordinance within 14 calendar days of the transmittal of the proposed amendment by the Clerk of the Council. This Section also requires, at minimum, analysis of the extent to which the proposed legislative amendment complies with six criteria.

- A. This proposed legislative amendment meets the requirements of Section 27-3501(c)(2)(B) as follows:

- (i) **Is consistent with the goals, policies, and strategies of Plan Prince George's 2035 (or any successor General Plan), area master plans, sector plans, functional master plans, and any other applicable approved plans;**

##### Consistency with General Plan

Allowing the Planning Department to review development applications for properties with a pending Planned Development Zoning Map Amendment before the County Council is "consistent with the goals, policies and strategies of Plan Prince George's 2035 [Plan 2035] (or any successor General Plan), area master plans, sector plans, functional master plans, and any other applicable approved plans" pursuant to Section 27-3501(c)(2)(B)(i) of the Zoning Ordinance.

Eliminating or reducing levels, durations, or steps in discretionary review procedures broadly advances Strategy LUL.2: "Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies." The proposed legislation, by making the development approval process less time-consuming, implements Strategy EPL.4 as well: "Revise the County Code to create a streamlined development review process and standards for the Downtowns and the Innovation Corridor to encourage business development at these locations." The Downtowns, and much of the Innovation Corridor, contain properties in the Transit-Oriented/Activity Center Zones where use of the Planned Development zone option will enhance the quality of development in those locations.

##### Consistency with Area Master and Sector Plans

The proposed legislation is generally consistent with the approved area master and sector plans. Examples include, but are not limited to, the following master/sector plan recommendations:

Table 1: Relevant Area Master and Sector Plan Recommendations

<u>Plan</u>	<u>Page</u>	<u>Policy/Strategy</u>	<u>Recommendation</u>
2006 <i>Approved Master Plan for the Henson Creek-South</i>	94	Community Character:	Policy 3: Streamline the development process for projects within designated

<i>Potomac Planning Area</i>		Revitalization: Policy 3	revitalization overlay areas and other suitable locations.
		Community Character: Revitalization: Policy 3: Strategy 2:	Explore innovative new zoning tools and review procedures designed to facilitate development in targeted locations.
		Community Character: Revitalization: Policy 3: Strategy 3	Expedite the development review and permitting process. Encourage developers to meet with both the Prince George's County Planning Department and Department of [Permitting, Inspections and Enforcement] before the design phase begins to ensure projects meet the minimum standards of the Zoning Ordinance and other applicable requirements.
<i>2009 Approved Landover Gateway Sector Plan</i>	114	Chapter 6: Community Development Elements: Market Potential: Policy 6	Streamline the review process and provide incentives for private investment.
<i>2009 Approved Marlboro Pike Sector Plan</i>	96	Chapter VII: Economic Development Strategies: E. Development Regulations: Development Review and Approval Process: Policy 2	Streamline the development review approval process to ensure a more timely approval by the Planning Board and County Council to help projects move more rapidly toward implementation.
<i>2010 Approved Central US 1 Corridor Sector Plan</i>	210	Implementation: Recommended	Streamline development procedures and approval processes.
<i>2013 Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan</i>	195	Implementation Actions: DR3	

**(ii) Addresses a demonstrated community need;**

"Identified community need" is not defined by the Zoning Ordinance but the goals discussed above in the General Plan, and a cross section of Master Plans, suggest that streamlining the development procedures and approval processes will benefit the community.

**(iii) Is consistent with the purpose and intent of the zones in this Ordinance, or would improve compatibility among uses and ensure efficient development within the County;**

The Department was unable to identify any impact that LDR-88-2025 would have on the purpose and intent of the zones in the Ordinance or that it would

improve compatibility among uses and ensure efficient development within the County.

The purpose of the PD Zones is to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency. The purposes do not discuss the need for recorded deeds or covenants prior development processes in PD Zones.

**(iv) Is consistent with the implementation of the strategies and priority recommendations of the Prince George’s County Climate Action Plan;**

The draft Climate Action Plan (CAP) presents strategies to achieve a carbon-free County by addressing County operations, reducing the County’s contribution to greenhouse gas emissions, and taking steps to prepare for the coming impacts of a changing climate. While the proposed bill would update only the timing of submitting subsequent development applications within the PD Map Amendment process, it would not generally impact the draft CAP unless projects are required to be regraded to address subsequent recorded instruments.

**(v) Is consistent with other related State and local laws and regulations; and**

LDR-88-2025 complies with this criterion.

**(vi) Would avoid creating significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.**

LDR-88-2025 complies with this criterion.

- B. Pursuant to Section 27-3501(c)(2)(C), this technical staff report **“shall contain an independent, non-substantive assessment of the technical drafting conventions of the proposed legislative amendment, in order to ensure consistency with the legislative style and conventions of the current Zoning Ordinance.”**

This analysis was provided above in Section II of this technical staff report.

- C. Finally, Section 27-3501(c)(2)(D) requires the Planning Board to make a recommendation on the proposed amendment in accordance with the Legislative Amendment Decision Standards that guide the District Council’s final decision on the approval of a proposed legislative amendment.

Analysis of the Legislative Amendment Decision Standards is contained in a separate subsection of this technical staff report below.

## **2. Referral Comments**

Staff referred LDR-88-2025 to colleagues throughout the Planning Department and received referral comments that were reviewed and integrated in this staff report.

## **V. PLANNING BOARD PUBLIC HEARING**

Section 27-3501(c)(2)(D) requires the Prince George's County Planning Board to hold a public hearing and make comments on the proposed legislative amendment within 30 days of the date of the transmittal of the Clerk of the Council. Said public hearing must be noticed by electronic mail at least 21 days prior to the public hearing, sent to every community organization in the County registered pursuant to Section 27-3407(b)(3) of the Zoning Ordinance, and to any person or organization registered pursuant to Section 27-3402(d) of the Zoning Ordinance.

Notice for the public hearing on LDR-82-2024 was sent on May 20, 2025, as required by the Zoning Ordinance. The Planning Board public hearing will be held on June 12, 2025, thus meeting the notice requirement of the Zoning Ordinance.

Comments offered by the public prior to and during the Planning Board's public hearing will be summarized, along with the Planning Board's comments, in the Board's recommendation to the Clerk of the Council.

## **VI. ANALYSIS OF LEGISLATIVE AMENDMENT DECISION STANDARDS**

LDR-88-2025 has been reviewed for consistency with Section 27-3501(d), Legislative Amendment Decision Standards, of the Zoning Ordinance. Staff find the following:

**The advisability of amending the text of this Ordinance is a matter committed to the legislative discretion of the County Council sitting as the District Council and is not controlled by any one factor. Within each zone listed in the Classes of Zones (Section 27-4102), the (D)istrict (C)ouncil may regulate the construction, alteration, and uses of buildings and structures and the uses of land, including surface, subsurface, and air rights. The provisions for each zone shall be uniform for each class or kind of development throughout the zone, and no legislative amendment may create different standards for a subset of properties within a zone, unless such standards are necessary to implement development policies within the applicable Area Master Plan, Sector Plan, development policies of the General Plan, or other approved development district; however, any differentiation of a subset of properties within a zone shall be reasonable and based upon the public policy to be served.**

The Department finds that LDR-88-2025 meets the criteria that the provisions for each zone shall be uniform for each class or kind of development throughout the zone because the amendment does not create different standards for a subset of properties Countywide, regardless of zoning. The proposed amendments contained in LDR-88-2025 would therefore be consistently applied to each affected zone across the County.

## **VII. PROPOSED AMENDMENTS**

Following review of LDR-88-2025, the Department has not offered any necessary technical drafting convention edits in Section II, above. As to the substantive aspects of the bill, the

Department has no amendments at this time and recommends possible conversations with the Land Records of Prince George's County to confirm their position on the bill.

#### **VIII. RECOMMENDATION**

Based upon the foregoing evaluation and analysis, the Planning Department's legislative team recommends that the Planning Board adopt the findings of this report and recommend the Planning Board **SUPPORT** LDR-88-2025.